

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

## (1) Twelfth Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

<b>Age: 62 years</b>	<b>PUBLIC GUARDIAN</b> , Conservator of the Person and Estate, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> If the <i>Petition</i> is granted, Court will set a status hearing as follows:  <ul style="list-style-type: none"> <li><b>Thursday, November 5, 2015 at 9:00 a.m. in Dept. 303</b> for filing of the thirteenth account. (Date selected is for a one-year account based on Petitioner stating an annual account is typically prepared rather than biennial due to the large volume of transactions.)</li> </ul> Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.
	<b>Account period: 9/1/2012 – 8/31/2014</b>		
	Accounting -	<b>\$311,484.47</b>	
	Beginning POH -	<b>\$289,079.59</b>	
	Ending POH -	<b>\$226,921.32</b> (\$9,031.72 cash)	
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
✓ <b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
✓ <b>Notice of Hrg</b>			
✓ <b>Aff.Mail</b>	W/		
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
✓ <b>CI Report</b>			
✓ <b>2620</b>			
✓ <b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

**Account period: 9/1/2012 – 8/31/2014**

Accounting - **\$311,484.47**  
Beginning POH - **\$289,079.59**  
Ending POH - **\$226,921.32**  
(\$9,031.72 cash)

Conservator - **\$2,755.24**  
(10.69 Deputy hours @ \$96/hr and 22.75 Staff hours @ \$76/hr)

Attorney - **\$1,250.00**  
(less than \$2,500.00 per Local Rule for 2 years)

Bond fee - **\$1,234.62** (OK)

**Petitioner prays for an Order:**

1. Approving, allowing and settling the Twelfth Account;
2. Authorizing the conservator and attorney fees and commissions; and
3. Authorizing payment of the bond fee.

**Court Investigator Jennifer Young's Report was filed 8/28/2014.**

Reviewed by: LEG

Reviewed on: 10/31/14

Updates:

Recommendation:

File 1 – Kane

## Status

<b>DOD: 04/17/03</b>	<b>ANNA WINGERT</b> , spouse, was appointed as Executor on 12/13/05.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <p style="text-align: center;"><b><u>OFF CALENDAR</u></b>  <b>Petition for Termination of Further Proceedings filed 10/16/14 and set for hearing on 12/03/14</b></p>
	I & A, Final filed 11/09/06 - \$6,000.00	
	Anna Wingert died on 12/14/06.	
<b>Cont. from 070914, 080614, 091714</b>	<b>KEVIN WINGERT</b> , son, was appointed successor executor without bond on 05/21/14. Letters were issued on 05/21/14.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Minute Order from hearing on 05/21/14</b> set this matter for status on 07/09/14.	
<b>Aff.Mail</b>	<b>Status Report filed 08/18/14</b> states: on 07/08/14, personal representative attempted to file a <i>Petition for Termination of Further Proceedings and Discharge of Personal Representative</i> , but the probate clerk refused to file the petition without a \$435 filing fee. It is Mr. Rube's understanding that the filing fee is being waived by the Court for petitions filed pursuant to Probate Code § 12251. Since the estate has no assets, the attorney is requesting that the Court waive the filing fee for the <i>Petition for Termination of Further Proceedings and Discharge of Personal Representative</i> .	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 10/31/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2 – Wingert</b>

<b>DOD: 11-27-05</b>		<b>ANITA CHOPERENA</b> , Mother and Administrator with Limited IAEA with bond of \$150,000.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>First Account period: 11-27-05 through 12-31-13</b> Accounting: \$ 2,274,542.15 Beginning POH: \$ 872,833.56 Ending POH: \$ 795,647.66 (Ending POH consists of \$4,852.34 cash plus real property, personal property, and various motor vehicles and equipment)	<b>Page A:</b> First Account and Report of Administrator	
<b>Cont. from 040714, 050514</b>				
	<b>Aff.Sub.Wit.</b>	<b>Administrator requests</b> payment of \$150,000.00 on her Creditor's Claim filed 6-20-06. (See Page C.)	<b>Page B:</b> Petition for Order to Continue to Operate Decedent's Business and to Borrow Funds under Probate Code §§ 9760 and 9800	
✓	<b>Verified</b>			
✓	<b>Inventory</b>			
✓	<b>PTC</b>			
✓	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
	<b>Aff.Mail</b>			X
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>	<b>Receipt for Costs filed 3-4-14</b> indicates that Anita Choperena has paid herself \$34,363.62 for costs advanced detailed in Attachment A including farm land loan interest payments, former attorney retainer fee, irrigation expenses, etc.	<b>SEE ADDITIONAL PAGES</b>	
✓	<b>Letters</b>			2-24-06
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
✓	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>	<b>Petitioner requests this Court order:</b>	<b>Reviewed by:</b> skc	
	<b>Citation</b>			<b>Reviewed on:</b> 10-31-14
	<b>FTB Notice</b>			<b>Updates:</b>
N/A		<ol style="list-style-type: none"> <li>1. That the First Account and Report of Administrator be settled, allowed, and approved as filed;</li> <li>2. All reported acts and proceedings of Petitioner as Administrator be confirmed and approved;</li> <li>3. Petitioner be authorized and directed to Pay herself the total sum of \$150,000.00 plus accrued interest on the Creditor's Claim filed 6-20-06; and</li> <li>4. For such further orders as the Court considers proper.</li> </ol>	<b>Recommendation:</b>	
			<b>File 3A – Choperena</b>	

## NEEDS/PROBLEMS/COMMENTS (CONTINUED):

The following issues remain noted:

1. **Petitioner was appointed as Administrator with Limited authority under IAEA over eight (8) years ago on 2-24-06.** There was no mention in the original petition for probate of the real property in Merced County or the decedent's apparent farming business. The only assets originally alleged were income of \$38,000 annually (source not indicated) and proceeds from the foreclosure of certain residential real property in Fresno. Bond appears to have been based on this estimate.

At no time did the Administrator petition the Court for authorization to continue operation of the Decedent's business under Probate Code §9760 or to borrow, loan, etc., under Probate Code §9800.

Need clarification as to how these acts and transactions of the Administrator were to the advantage of the estate in the best interest of the minor heirs.

Note: There is no schedule showing net income/loss pursuant to Probate Code §1062(c); however, the estate/business appears to be operating at a loss, as the overall Disbursements exceeded Receipts, including loans, by approx. \$77,185.90, although according to the Reappraisal, the value of the real property itself has increased some. However, Examiner also notes that there is a negative balance of cash noted in the Ending POH of -\$4,852.34.

**Update: Petitioner has now filed a Petition for Order to Continue to Operate Decedent's Business and to Borrow Funds under Probate Code Sections 9760 and 9800. See Page B.**

2. **The Administrator had a duty to apply for increased bond upon knowledge of the bond's insufficiency pursuant to Cal. Rules of Court 7.204.**

It appears from this accounting that the annual income of the estate (business?) was approx. \$132,000.00, not including the loans from the Administrator. Therefore, together with the cash and personal property assets as inventoried, bond should have been increased to at least \$224,833.56 as early as the Administrator was aware. At this time, based on the approx. annual income plus the POH, bond should be increased to at least \$152,647.66.

**Update: Order to Increase Bond to \$150,000.00 was signed ex parte on 4-9-14. Additional bond was filed 5-6-14.**

**SEE ADDITIONAL PAGES**

**NEEDS/PROBLEMS/COMMENTS (CONTINUED):**

3. **Petitioner requests approval of payment of her Creditor's Claim filed 6-26-06 for \$150,000.00 plus accrued interest based on "Deed of Trust, Recorded on October 4, 1999."** However, there is no explanation regarding this transaction, including whether any payment schedule existed or payments were made prior to the decedent's death in 2005. Also, it appears interest has now been accruing for many years. Is there a reason the Administrator did not request allowance via proper channel previously (i.e., Allowance or Rejection form)? What is the current balance owing, and how was letting the interest accrue in the best interest of the estate and minor heirs?

**Update: Petitioner has now submitted the Allowance or Rejection of Creditor's Claim Form DE-174 to the Court for consideration. Pursuant to Order dated 4-11-14, the matter will be set for hearing and considered along with this petition. See Page C.**

4. Petitioner indicates that the Administrator has advanced costs to the estate totaling \$34,363.62. It appears that most of the "costs" listed appear to be business expenses, such as payment of wages and for machines, etc. Need clarification as to how these items are categorized as "costs" whereas it is known that the Administrator was also making "loans" to the estate for business purposes.

**Update: See below re Declaration filed 4-9-14.**

5. Petitioner's "costs" also includes payment of her former attorney Brian T. Austin's retainer in the amount of \$1,500.00. Please note that compensation has not been authorized to the attorney, nor is such authorization requested at this time.

**Update: Declaration states the attorney was paid \$1,500.00 for costs incurred, rather than as a "retainer" or as an attorney's fee. Petitioner is informed and believes that there is a balance owing the estate for the unused portion of these funds of \$652.00.**

6. This petition is filed as a "First Account;" however, it is far overdue and also does not indicate when the estate will be in a condition to close or request estimated additional time for administration.

Need verified declaration as to the condition of the estate, the reasons why the estate cannot be distributed and closed, and an estimate of the time needed to close the estate pursuant to Probate Code §12201.

**Update: See below re Declaration filed 4-9-14 and Declaration filed 10-28-14.**

Based on the above issues, the Court may strike any language confirming and approving the acts and transactions during the account period.

**SEE ADDITIONAL PAGES**

**Declaration filed 4-9-14 states:**

The principal asset of the estate is agricultural real property which is planted in almond trees. Since becoming Administrator, Petitioner has continued the decedent's business of growing and selling almonds. Initially, the debts of the estate exceeded the value of the assets, including the \$150,000.00 debt owed to Petitioner since before her son's death, and including the paper loss (mentioned above) in the amount of \$4,852.35. However, the last payment for the 2013 crop has come in that more than makes up for that amount.

Petitioner states there is also a lien against the amount payable for attorney's fees of \$2,073.28, but it is Petitioner's understanding that this does not reduce the value of the estate but is an issue to be worked out between Petitioner's current attorney and former attorney.

Regarding the \$150,000.00 promissory note owed to Petitioner: It bears an interest rate at 7% per annum. Petitioner has not been paying herself on this loan nor has she been paid any principal. The other loans she made to the estate for the farming operation have been interest-free even though this particular loan does bear interest. A copy of the note and deed of trust is attached to the Allowance or Rejection of Creditor's Claim filed herewith. (See Page C.)

Petitioner states the estate cannot be closed at this time because there is not enough cash in the estate to pay costs necessary to keep the almond trees productive and pay costs of administering the estate, including attorney's fees. Petitioner has listed the property for sale based upon the value determined in the Reappraisal for Sale; however, the value has been discounted by 20% based on this year's water shortage. Because of this discount, Petitioner is reluctant to let the property go for too small of an amount simply because prices are currently depressed. Petitioner would like to hold the asking price a little while longer to obtain the best price the market has to offer.

It is Petitioner's belief that it is in the best interest of the estate and in the best interest of her grandchildren, who are the heirs, that the court allow Petitioner to continue to operate the almond business with the assets of the estate until the property is sold.

Petitioner states she has, during the course of the administration, loaned money to the estate for the farming operation in order to fund cash flow. As Administrator, Petitioner would like the authority to loan and borrow funds if necessary, to continue to operate the business. It is anticipated that she would be the lender and the term of the loan would be until either the property is sold or the crop is harvested and sold, whichever comes first, as has been the case with all the loans made to the estate. The loan(s) would not have interest.

**Declaration filed 10-28-14 states:** The principal asset of this estate is real property planted with almond trees. Petitioner listed the property for sale on 4-7-14 at \$1,500,000.00. When there had been no active interest by anyone, she cancelled the listing. Since the original listing wouldn't expire until 10-31-14, she was afraid that if she actively marketed the property or listed it with anyone else, the first listing agent would still get a portion of the sale price. On or about 10-16-14, she called her attorney, who, after listening to her predicament, advised her to list the property with another realtor right away. On 10-16-14, she listed the property for \$2,400,000.00. However, the attorney told her that the price should have been the reappraisal price of \$1,095,000.00. At present, almost all costs for the 2014 crop have been paid using the first one half of the payment made when the almonds were purchased. The remaining outstanding bills are listed in Exhibit E. The second half of the proceeds from the sale of the 2014 crop is due mid-January in the amount of \$103,334.01. This will leave a balance which should be adequate to pay the cost of closing the estate; however, it may not be enough to also pay off the \$150,000.00 that Petitioner made to her son before his death.

Petitioner states if the real property is distributed in kind, the period immediately after mid-January would be the best time of the year for the almond production. However, Petitioner believes it is in the best interest of the estate to sell the property rather than distribute in kind to her grandchildren.

Therefore, Petitioner would like the Court to give her more time to sell the property.

<b>DOD: 11-27-05</b>		<p><b>ANITA CHOPERENA</b>, Administrator with Limited IAEA with bond of \$106,000.00, is Petitioner.</p> <p>Petitioner requests an order authorizing her to continue to operate the decedent's business of growing almonds and selling them. The Administrator has been operating the business with some success over seven years. The estate is not in a condition to close because it does not have enough cash to pay the costs of administration. Therefore, the real property must be sold. If left unattended until it is sold, the almond trees may die from lack of water or become stressed and unproductive.</p> <p>It is therefore in the best interest of the estate and the heirs that the Administrator be allowed to continue to operate the business while she goes through the process of selling the real property.</p> <p>In order to fund the cash flow of the almond growing business, the Administrator has been making interest-free loans to the estate. It is anticipated that this practice will need to continue in order to continue with the business. §9800(a)(3) provides that if the court determines that it would be advantageous to the estate it may make an order allowing the personal representative to borrow against the estate for purposes of preserving the property of the estate. The Administrator believes that such borrowing is necessary in order to keep the almond trees on the property alive and productive.</p> <p><b>Wherefore, the Administrator asks for an order allowing her to continue to operate the decedent's almond growing business and allowing her to borrow money in order to carry on the business.</b></p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 050514</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b> w		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b> 2-24-06		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 10-31-14 <b>Updates:</b> <b>Recommendation:</b> <b>File 2B – Choperena</b>	



<b>DOD: 11-27-05</b>		<p><b>ANITA CHOPERENA</b> was appointed as Administrator on 2-21-06 with Limited IAEA and bond of \$106,000.00.</p> <p>On 6-26-06, Ms. Choperena filed a Creditor's Claim against the estate in the amount of \$150,000.00 with reference to a deed of trust recorded 10-4-99 (not attached).</p> <p>On 12-20-13, the Court reviewed the estate and, noting that there had been no activity since 2007, set the matter for status hearing. In response, the Administrator filed her First Account (Page 2A) in which she requested payment of her claim.</p> <p>The Administrator has now submitted for the Court's consideration the Allowance or Rejection of Creditor's Claim form DE-174 with copies of the Deed of Trust with Assignment of Rents as Additional Security recorded 10-4-99 and the Promissory Note dated 9-3-99.</p> <p>The Deed of Trust and Promissory Note indicate that in 1999, prior to the decedent's death, Ms. Choperena loaned the decedent \$150,000.00 at 7% per annum, payable in annual installments of "\$10,000.00 or more, plus interest." The loan was secured by the decedent's agricultural real property in Merced County.</p> <p>Ms. Choperena states in her Declaration filed 4-9-14 that she has not been paying herself any interest on this loan nor has she been paid any of the principal.</p> <p>Therefore, the Administrator requests that the Court allow her creditor's claim.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<b>Cont. from 050514</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b> w		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b> 2-24-06		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

Atty LeVan, Nancy J. (for Conservator of the Person l'Isha Cooley)

Atty Kruthers, Heather H (for Conservator of the Estate Public Guardian)

## Probate Status Hearing Re: Medical Powers

<b>Age: 71 years</b>		<b>I'ISHA COOLEY</b> , daughter, petitioned the court and requested appointment as successor Conservator of the Person with medical consent powers and of the Estate.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>		Ms. Cooley did not provide a Capacity Declaration for the medical consent powers.	1. Need capacity declaration, if medical consent powers are still being requested, or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>		<b>Minute order dated 9/25/14</b> appointed the Public Guardian as successor conservator of the estate and l'Isha Cooley as successor conservator of the person without medical consent powers and set this status hearing for Ms. LeVan to file a capacity declaration.	
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<b>Reviewed by: KT</b>	
		<b>Reviewed on: 10/31/14</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 4 – Cooley</b>	

## Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

<b>DOD: 10/23/11</b>	<b>BETSY McMILLAN</b> , daughter, was appointed as Executor with full IAEA and without bond on 01/04/12. Letters Testamentary were issued on 01/05/12.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>CONTINUED FROM 09/02/14</u></b>  <b>As of 10/31/14, nothing further has been filed.</b>  1. Need First Account or Petition for Final Distribution First Account or Petition for Final Distribution <b>and/or</b> current verified status report.
<b>Cont. from 020714, 061014, 090214</b>	<b>Inventory &amp; Appraisal, partial no. 1, filed 03/14/12</b> - \$64,500.00	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>	<b>Inventory &amp; Appraisal, final, filed 11/20/12</b> - \$72,367.01	
<b>Inventory</b>		
<b>PTC</b>	<b>Notice of Status Hearing</b> filed 11/18/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. <b>Clerk's Certificate of Mailing</b> states that a copy of the Notice of Status Hearing was mailed to attorney Joanne Sanoian and Betsy McMillan on 11/18/13.	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	<b>Unverified Status Report filed 01/30/14</b> requests a 60 day continuance for the Executor to prepare the First and Final Account.	
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 10/31/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 5 – Castle</b>

Atty Wall, Jeffrey L (for Former Administrator Kirk Hagopian)  
 Atty Morris, Michael J (for Objectors Brandenburger & Davis,

First Amended First and Final Account and Report of Administrator and Petition for  
 Its Settlement and Approval

<b>DOD: 12/7/11</b>		<b>KIRK HAGOPIAN</b> , former Administrator, is petitioner.  <b>Kirk Hagopian</b> resigned as Administrator and <b>Gloria Hagopian</b> was appointed Successor Administrator on 5/27/14. All funds except \$5,000.00 were ordered into a blocked account (receipt filed on 7/11/14)  Account period: 8/12/12 – 5/5/14  Accounting - <b>\$229,763.00</b> Beginning POH- <b>\$226,533.35</b> Ending POH - <b>\$166,207.96</b>  <b>Petitioner states</b> that certain cash assets at the time of decedent's death were wrongfully taken by Gaylene Bolanos and her confederates. Petitioner is represented by Fresno attorney Leigh Burnside in a pending action against Gaylene Bolanos and others to recover the wrongfully taken property. Inventory and appraisal, partial no. 1 shows a bank account totaling \$10,268.71 at the time of decedent's death. Petitioner believes that Gaylene Bolanos misappropriated all of the money in the account, because the account was empty when Petitioner presented Letters to the bank after the opening of the estate. Petitioner believes there were other accounts taken by Gaylene Bolanos, but Petitioner did not inventory them because he lacks records that would show the balances.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
			<b>OFF CALENDAR. 2<sup>nd</sup> Amended Account filed and set for hearing on 12/3/14.</b>	
			1. Need Notice of Hearing.	
			2. Need proof of service of the Notice of Hearing on all interested parties.	
			3. Need proof of service with a copy of the Petition on Michael Morris pursuant to the Request for Special Notice filed on 9/10/12.	
			4. Inventory and Appraisal, partial no. 4, filed on 9/18/14 lists loans to the estate totaling 12,120.27. The inventory and appraisal should only list assets of the decedent as of the date of death. Any loans to the estate should be listed in the receipt schedule.	
			5. Need Order	
<b>Cont. from 061614, 072914, 092414</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input checked="" type="checkbox"/>	<b>Inventory</b>			
<input checked="" type="checkbox"/>	<b>PTC</b>			
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>		<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Aff.Mail</b>			
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input type="checkbox"/>	<b>Order</b>	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
		<b>Reviewed by: KT</b>		
		<b>Reviewed on: 9/22/14</b>		
		<b>Updates:</b>		
		<b>Recommendation:</b>		
		<b>File 6A - Smart</b>		

(1) Waiver of Accounting and Report of Administrator and Petition for Its Settlement; (2) Waiver of Administrator's Commissions; (3) for Allowance of Attorney's Fees for Ordinary Services, and (4) for Final Distribution [Prob. C. 10810, 10811, 10954 & 11640]

<b>DOD: 11-14-12</b>		<b>BERNICE BALLESTEROZ</b> , Spouse and Administrator with Full IAEA without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Accounting is waived.	<u>Continued from 9-3-13, 11-5-13, 3-5-14, 6-4-14</u>
Cont. from 090313, 110513, 030514, 060414, 090314		I&A: \$281,849.95 POH: \$287,451.44 \$187,451.44 (cash after preliminary distribution authorized 10-30-13)	<b>Note:</b> IRS filed a Creditor's Claim for \$65,018.74 and a Request for Special Notice on 8-29-13. The Creditor's Claim indicates tax liens for the decedent for various amounts, plus interest, going back to 2001.
<input type="checkbox"/>	Aff.Sub.Wit.	Administrator (Statutory): Waived	
<input checked="" type="checkbox"/>	Verified	Attorney (Statutory): \$8,749.00	<b>Update:</b> A withdrawal of the above claim was filed on 9-17-14.
<input checked="" type="checkbox"/>	Inventory	<b>Distribution pursuant to intestate succession and Assignment of Interest filed 3-13-13:</b>	
<input checked="" type="checkbox"/>	PTC	<b>Bernice Ballesteroz:</b> \$278,702.44 \$178,702.44	<b>Note:</b> This Petition for Final Distribution was filed on 7-25-13, but has been delayed due to tax issues. A petition for Preliminary Distribution of \$100,000.00 to Ms. Ballesteroz was filed on 9-16-13 and granted on 10-30-13.
<input checked="" type="checkbox"/>	Not.Cred.	<b>Status Report filed 11-1-13</b> by Attorney Bagdasarian requests continuance of 120 days due to the time anticipated for communications with the IRS and the upcoming holiday period.	
<input checked="" type="checkbox"/>	Notice of Hrg	<b>Status Report filed 2-24-14</b> by Attorney Bagdasarian states the Administrator, through her CPA, filed with the IRS what she believes to be all the required prior income tax returns and paid the tax due in October 2013. There is a potential for the requirement of additional interest or penalties, however, there also requests for refunds for certain tax years. The CPA reports that after several requests of the IRS, she was notified on or about 1-22-14, some three months after mailing of the returns, that the return were just docketed. Consequently a continuance of three months is requested.	<b>Although this Petition for Final Distribution has not been amended, the revised proposed order reflects final distribution of \$178,702.44 to Ms. Ballesteroz. A receipt has been filed for the \$100,000.00 previously received.</b>
<input checked="" type="checkbox"/>	Aff.Mail	<b>Status Report filed 6-2-14</b> states the IRS filed the above-referenced claim on 8-28-13. The CPA reports that all returns from 2001-2012 have been processed by the IRS except for 2006 and 2007. In order to allow time for processing those returns, a continuance of three (3) months is necessary.	
	Aff.Pub.	<b>Status Report filed 8-26-14</b> states returns for tax year 2006 are still outstanding. A continuance of 60 days is requested.	<b>Reviewed by:</b> skc
	Sp.Ntc.	<b>On 9-17-14, a Withdrawal of Request for Special Notice and Satisfaction of Proof of Claim signed by an IRS Advisory Manager was filed.</b>	
	Pers.Serv.		<b>Reviewed on:</b> 10-31-14
<input checked="" type="checkbox"/>	Letters	4-11-13	<b>Updates:</b>
	Duties/Supp		<b>Recommendation:</b>
	Objections		<b>File 7 – Ballesteroz</b>
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Atty Hinshaw, Caroline K. (for Mark Reiff – Executor/Petitioner)

**Executor's Report of Status of Administration of Estate, Request for Order  
Approving Distribution of Personality Pursuant to the Independent Administration  
of Estates Act and Request for Order Authorizing Payment of Fee for Due Diligence  
Search**

<b>DOD: 03/29/13</b>		<b>MARK REIFF</b> , Executor, is Petitioner.	<b>NEEDS/PROBLEMS/ COMMENTS:</b>
		I & A - \$2,077,135.27	<p align="center"><b><u>OFF CALENDAR</u></b>  <b>Amended Report of Status filed 10/21/14 and set for hearing on 12/01/14</b></p>
		POH - \$2,062,032.51	
<b>Cont. from 101514</b>		<b>Petitioner states:</b>	
	<b>Aff.Sub.Wit.</b>	1. An Accounting of the estate has been delayed due to maternity leave of the person preparing the accounting, however petitioner anticipates filing the accounting in the near future.	
✓	<b>Verified</b>	2. Petitioner distributed the household furnishings and furniture to Colleen Zanolitch pursuant to decedent's will and codicils. Petitioner requests the court's approval of this distribution to Ms. Zanolitch.	
	<b>Inventory</b>	3. All creditor's claims have been paid and the estate is solvent.	
	<b>PTC</b>	4. The estate is not in a condition to be closed at this time because some of the real property assets of the estate still need to be sold. Petitioner requests the Court's approval to continue the administration of the estate for one year.	
	<b>Not.Cred.</b>	5. Early in the administration of the estate, Petitioner learned that the Decedent had distant relatives who were her heirs at law and had not previously been located. Petitioner and his attorney spent numerous hours in a diligence search to locate the relatives and located Mary V. Peterson who had gathered and maintained genealogical records that included Decedent's family. More than 50 living heirs at law were located. Ms. Peterson spent more than 30 hours searching through records to locate Decedent's heirs. Petitioner is informed that persons who conduct investigations to locate heirs at law charge in the range of \$195 per heir located. Given the efforts of Ms. Peterson, Petitioner requests authorization from the court to pay Ms. Peterson an honorarium of \$1,500.00 for her valuable efforts.	
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	w/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
	<b>Order</b>	x	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

Reviewed by: JF

Reviewed on: 10/31/14

Updates:

Recommendation:

File 8 - Carlson

**Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Administrator)**

## First and Final Account and Report of Trustee and Petition for Allowance of Compensation to Trustee and Attorney and for Distribution

<b>DOD: 5/24/2013</b>		<b>PUBLIC ADMINISTRATOR</b> , Successor Trustee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Page 10</b> is a related matter.  1. <i>Petition is signed by Petitioner but not verified by Petitioner pursuant to Probate Code § 1021 and CA Rule of Court 7.103.</i>
		<b>Account period: 7/17/2013 – 8/28/2014</b>	
<b>Cont. from</b>		Accounting - <b>\$123,583.09</b>	
<b>Aff.Sub.Wit.</b>		Beginning POH - <b>\$117,000.00</b>	
<b>Verified</b>		Ending POH - <b>\$112,805.11</b> ( <i>all cash</i> )	
<b>Inventory</b>			
<b>PTC</b>		Trustee - <b>\$4,707.49.</b>	
<b>Not.Cred.</b>		( <i>statutory per Probate Code § 15688(b)(1) and 10800;</i> )	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Trustee XO - <b>\$1,248.00</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	( <i>per Local Rule 7.18(B)(1) for sale of real property, and tax returns for 1 Deputy hour @ \$96.00/hour and 2 assistant hours @76.00/hour;</i> )	
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>		Attorney - <b>\$4,707.49.</b>	
<b>Pers.Serv.</b>		( <i>statutory per Probate Code § 15688(b)(1) and 10800;</i> )	
<b>Conf. Screen</b>			
<b>Letters</b>		Bond Fee - <b>\$308.96</b>	
<b>Duties/Supp</b>		( <i>per Probate Code § 15688(c)</i> )	
<b>Objections</b>		Costs - <b>\$495.00</b>	
<b>Video Receipt</b>		( <i>filing fees</i> )	
<b>CI Report</b>		<b>Petitioner prays for an Order:</b>	
<b>9202</b>		4. Approving, allowing and settling the First and Final Account and Report of the Successor Trustee;	
<input checked="" type="checkbox"/>	<b>Order</b>	5. Authorizing payment of the Trustee and attorney fees and Trustee extraordinary fees;	
<b>Aff. Posting</b>		6. Authorizing payment of the bond fee; and	
<b>Status Rpt</b>		7. Distributing the Trust assets as follows:	
<b>UCCJEA</b>		• <b>MEMORIAL HERMANN FOUNDATION (THE JOHN S. DUNN, SR. BURN CENTER) – \$50,669.09;</b>	
<b>Citation</b>		• <b>THE UNIVERSITY OF ARKANSAS AT MONTICELLO (OFFICE OF ADVANCEMENT) – \$50,669.08.</b>	
<b>FTB Notice</b>			
			<b>Reviewed by: LEG</b>
			<b>Reviewed on:</b> 11/3/14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 9 – Grover</b>

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Administrator)

## (1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution

<b>DOD: 5/24/2013</b>		<b>PUBLIC ADMINISTRATOR</b> , Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/ COMMENTS:</b>  <b>Note:</b> Decedent's Will devises the estate to the Trustee of <b>THE LAVERNE M. GROVER TRUST</b> , the Successor Trustee of which is the <b>PUBLIC ADMINISTRATOR</b> . Proposed order distributes the Estate of LaVerne Mattie Grover pursuant to the distribution terms of the <b>LAVERNE M. GROVER TRUST</b> , which appears to be appropriate since the beneficiaries ultimately receiving distribution are proper.
		<u><b>Account period: 6/4/2013 – 9/3/2014</b></u>	
		Accounting - <b>\$554,827.73</b>	
		Beginning POH - <b>\$554,115.48</b>	
		Ending POH - <b>\$523,782.51</b> (all cash)	
<b>Cont. from</b>		Administrator - <b>\$14,096.56</b> (statutory)	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Administrator XO - <b>\$642.65</b> (per Local Rule 7.18(B)(2) for sale of personal property @ 10% of gross sales of furnishings and vehicles of \$3,946.50; and for preparation and filing of tax returns for 1 Deputy hour @ \$96.00/hour and 2 assistant hours @ \$76/hour;)	
<input checked="" type="checkbox"/>	<b>Verified</b>	Attorney - <b>\$14,096.56</b> (statutory)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Bond Fee - <b>\$1,733.84</b> (O.K.) (per Probate Code § 7621(d))	
<input checked="" type="checkbox"/>	<b>PTC</b>	Costs - <b>\$946.50</b> (filing fee, certified copies)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	<b>Petitioner prays for an Order:</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	8. Approving, allowing and settling the First and Final Account of the Administrator;	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	9. Authorizing payment of the Administrator and Attorney fees and Administrator extraordinary fees;	
	<b>Aff.Pub.</b>	10. Authorizing payment of the bond fee; and	
	<b>Sp.Ntc.</b>	11. Distributing the estate assets pursuant to Decedent's Will and Decedent's Trust as follows:	
	<b>Pers.Serv.</b>	<ul style="list-style-type: none"> <li><b>MEMORIAL HERMANN FOUNDATION (THE JOHN S. DUNN, SR. BURN CENTER) – \$246,133.20;</b></li> <li><b>THE UNIVERSITY OF ARKANSAS AT MONTICELLO (OFFICE OF ADVANCEMENT) – \$246,133.20.</b></li> </ul>	
	<b>Conf. Screen</b>		
	<b>Letters</b> 071813		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 11/3/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 10 – Grover</b>



**11 Fred Otto Loeffler (CONS/PE)**

Case No. 13CEPR00655

**Atty** Downing, Marcella (for Diane Huerta – daughter)  
**Atty** Johnson, Summer A. (for Bruce Bickel – Conservator/Petitioner)  
**Atty** Bagdasarian, Gary G. (for Linda Plitt – daughter)  
**Atty** Jenkins, Shani D (for Mick Loeffler – son)  
**Atty** Farley, Michael L. (for Fred Loeffler – Conservatee)

(1) Petition for Approval of First and Final Account and Report of Temporary Conservator of the Estate and (2) Request for Approval of Payment of Temporary Conservator's Fees;(3) Request for Approval of Payment of Conservator's Attorney's Fees;(4) Request for Authorization to Distribute Assets to Trustee; and (5) Discharge of Temporary Conservator of the Estate

<b>Age: 91</b>		<b>BRUCE BICKEL</b> , Temporary Conservator of the Estate, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Temporary Conservatorship expires 11/05/14.	See pages 12 and 13 for related matters.
		Account period: <b>11/01/13 – 08/31/14</b>	
<b>Cont. from</b>			Note: These matters are also set for 10:00am regarding Petition for Approval of Settlement Agreement and Status
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Accounting - <b>\$631,092.25</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Beginning POH - <b>\$615,646.35</b>	
<input type="checkbox"/>	<b>Inventory</b>	Ending POH - <b>\$561,606.75</b>	
<input type="checkbox"/>	<b>PTC</b>	Conservator - <b>\$17,624.50</b> (for 122.7 hours at a combined effective rate of \$143.64)	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Attorney - <b>\$31,327.50</b> (less than billed hours as follows: 7.95 hours @ \$400/hr., 113.75 hours @ \$275/hr., and 6.25 hours @ \$160/hr.)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Costs - <b>\$1,613.17</b> (for filing fees, postage for mail to more than 10 recipients, certified copies)	
<input type="checkbox"/>	<b>Pers.Serv.</b>	Reserve - <b>\$5,000.00</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	Petitioner anticipates that he will be transferring the assets of the Temporary Conservatorship to the Successor Trustee of the Loeffler Family Trust upon approval of this Petition. Petitioner requests approval to file an Ex Parte Petition for approval of a Supplemental Account and Report for the period from 09/1/14 through the date of delivery of assets to the Successor Trustee of the Loeffler Family Trust, which Ex Parte Petition would request for approval of the payment of additional attorney, fiduciary and accountant fees incurred during that period.	
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>2620(c)</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
Continued on Page 2			<b>Reviewed by:</b> JF <b>Reviewed on:</b> 10/31/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 11 – Loeffler</b>

**Petitioner prays for an Order:**

1. Approving, allowing and settling the first and final account;
2. Authorizing the conservator and attorney fees and commissions;
3. Authorizing the attorney's costs and reserve requested;
4. Authorizing and directing Bruce Bickel to file an Ex Parte Petition for approval of a Supplemental Account and Report for the period from 09/01/14 through the delivery of assets to the Successor Trustee of the Loeffler Family Trust, which Ex Parte shall include a request for approval of additional attorney, fiduciary and accountant fees incurred during that period;
5. Authorizing Bruce Bickel to transfer the assets of the Temporary Conservatorship of the Estate of Fred Otto Loeffler (excepting the Individual Retirement Account) to the Successor Trustee of The Loeffler Family Trust, including authorization to sign any and all documents, including, but not limited to, bank forms, transfer documents, check requests, and the like, to effectuate the transfer of the assets of the Temporary Conservatorship of the Estate of Fred Otto Loeffler (excepting the Individual Retirement Account) to the Successor Trustee of the Loeffler Family Trust; and
6. Such other relief that the Court deems proper.

**Fred Otto Loeffler's Statement of Non-Opposition to Bruce D. Bickel's Petition for Approval of First and Final Account, etc.** filed 10/22/14 states that without conceding that the terms of the Settlement Agreement prepared at the conclusion of mediation which took place on May 17, 2014 are valid, Fred does not oppose the granting of the Petition. Given that there has not been a determination that Fred is incompetent, he does not oppose Mr. Bickel's request for discharge as Temporary Conservator of the Estate.

12 **Kathleen Doris Loeffler (CONS/PE)**  
 Atty Downing, Marcella (for Diane Huerta – daughter)  
 Atty Johnson, Summer A. (for Bruce Bickel – Conservator/Petitioner)  
 Atty Bagdasarian, Gary G. (for Linda Plitt – daughter)  
 Atty Jenkins, Shani D (for Mick Loeffler – son)  
 Atty Farley, Michael L. (for Kathleen Loeffler – Conservatee)

Case No. 13CEPR00656

(1) Petition for Approval of First and Final Account and Report of Temporary Conservator of the Estate and (2) Request for Approval of Payment of Temporary Conservator's Fees;(3) Request for Approval of Payment of Conservator's Attorney's Fees;(4) Request for Authorization to Distribute Assets to Trustee; and (5) Discharge of Temporary Conservator of the Estate

Age: 85	<b>BRUCE BICKEL</b> , Temporary Conservator of the Estate, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Temporary Conservatorship expires 11/05/14.	
	Account period: <b>11/01/13 – 08/31/14</b>	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - <b>\$21,928.46</b>	
<input checked="" type="checkbox"/> Verified	Beginning POH - <b>\$14,957.23</b>	
<input type="checkbox"/> Inventory	Ending POH - <b>\$14,695.49</b>	
<input type="checkbox"/> PTC	Conservator - <b>\$14,813.80</b> (for 103.8 hours at a combined effective rate of \$142.72/hr.)	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Attorney - <b>\$30,983.75</b> (less than billed hours as follows: 7.95 hours @ \$400/hr., 113.75 hours @ \$275/hr., and 6.25 hours @ \$160/hr.)	
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Costs - <b>\$1,234.28</b> (for filing fees, postage for mail to more than 10 recipients, certified copies)	
<input type="checkbox"/> Pers.Serv.	Reserve - <b>\$5,000.00</b>	
<input type="checkbox"/> Conf. Screen	Petitioner anticipates that he will be transferring the assets of the Temporary Conservatorship to the Successor Trustee of the Loeffler Family Trust upon approval of this Petition. Petitioner requests approval to file an Ex Parte Petition for approval of a Supplemental Account and Report for the period from 09/1/14 through the date of delivery of assets to the Successor Trustee of the Loeffler Family Trust, which Ex Parte Petition would request for approval of the payment of additional attorney, fiduciary and accountant fees incurred during that period.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 2620(c)		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Continued on Page 2		Reviewed by: JF Reviewed on: 10/31/14 Updates: Recommendation: File 12 – Loeffler

**Petitioner prays for an Order:**

7. Approving, allowing and settling the first and final account;
8. Authorizing the conservator and attorney fees and commissions;
9. Authorizing the attorney's costs and reserve requested;
10. Authorizing and directing Bruce Bickel to file an Ex Parte Petition for approval of a Supplemental Account and Report for the period from 09/01/14 through the delivery of assets to the Successor Trustee of the Loeffler Family Trust, which Ex Parte shall include a request for approval of additional attorney, fiduciary and accountant fees incurred during that period;
11. Authorizing Bruce Bickel to transfer the assets of the Temporary Conservatorship of the Estate of Kathleen D. Loeffler (excepting the Individual Retirement Account) to the Successor Trustee of The Loeffler Family Trust, including authorization to sign any and all documents, including, but not limited to, bank forms, transfer documents, check requests, and the like, to effectuate the transfer of the assets of the Temporary Conservatorship of the Estate of Kathleen D. Loeffler (excepting the Individual Retirement Account) to the Successor Trustee of the Loeffler Family Trust; and
12. Such other relief that the Court deems proper.

**Kathleen D. Loeffler's Statement of Non-Opposition to Bruce D. Bickel's Petition for Approval of First and Final Account, etc.** filed 10/22/14 states that without conceding that the terms of the Settlement Agreement prepared at the conclusion of mediation which took place on May 17, 2014 are valid, Fred does not oppose the granting of the Petition. Given that there has not been a determination that Fred is incompetent, he does not oppose Mr. Bickel's request for discharge as Temporary Conservator of the Estate.

13A

**Loeffler Family Trust**

Case No. 13CEPR00736

Atty Downing, Marcella and McLaughlin, William T, II (for Diane Huerta – daughter)  
 Atty Johnson, Summer A. (for Bruce Bickel – Conservator/Petitioner)  
 Atty Bagdasarian, Gary G. (for Linda Plitt – daughter)  
 Atty Jenkins, Shani D (for Mick Loeffler – son)  
 Atty Farley, Michael L. and Barkinskaya, Jennie (for Fred and Kathleen Loeffler – Trustors)

**Petition for to Determine the Validity of the Trust Modifying the Trust, Removing Trustees, Appointing Trustees Instructing the Trustee, Compelling Redress of Breach of Trust, and Preliminary Injunction Prohibition Further Distributions to Mick Loeffler**

		<b>DIANE HUERTA and LINDA PLITT</b> , daughters, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>CONTINUED FROM 09/17/14</u></b> <b>Per stipulation of the parties.</b>
		<b>Petitioners state:</b>	
<b>Cont. from 102213, 120313, 011414, 081214, 091714</b>		1. Dr. Fred Otto Loeffler and Kathleen Loeffler are the Trustor's of <b>THE LOEFFLER FAMILY TRUST</b> .	1. The Petition does not state the names of the persons entitled to notice of as required Pursuant to Probate Code § 17201. <b>Note:</b> Fred and Kathleen Loeffler were personally served with the Notice of Hearing and a copy of the Petition and several other people were served by mail. The Examiner is unable to determine whether everyone entitled to notice has received notice due to that information not being stated in the petition.  2. Need Order.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	2. Petitioners were appointed as temporary conservators of the Person of their parents, Dr. Fred Otto Loeffler and Kathleen Loeffler.	
<input checked="" type="checkbox"/>	<b>Verified</b>	3. Bruce Bickel is the currently acting temporary conservator of the estates of both Dr. Fred Otto Loeffler and Kathleen Loeffler.	
<input type="checkbox"/>	<b>Inventory</b>	4. The principal place of administration of the Trust is Fresno County.	
<input type="checkbox"/>	<b>PTC</b>	5. Petitioners allege that Dr. and Mrs. Loeffler (hereinafter "the Loefflers") lack capacity to resist undue influence and to protect their assets for their own benefit. This case and the conservatorship cases are inextricably linked and Petitioners request that the Court take Judicial Notice of the Conservatorship proceedings and all of the filings in those matters.	
<input type="checkbox"/>	<b>Not.Cred.</b>	6. The Loefflers have 4 children, Petitioners, Diane Huerta and Linda Plitt and Samuel Loeffler (hereinafter "Sam") and Michael Loeffler (hereinafter "Mick"). Linda and Diane are also successor trustee and beneficiaries under all of the various trusts which have been created by the Trustors over the years and therefore having standing to bring this action before the Court.	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	7. Petitioners believe that many trusts have been made and revised by the Loefflers.	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	x	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
Continued on Page 2			<b>Reviewed by:</b> JF <b>Reviewed on:</b> 11/04/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 13A – Loeffler</b>

Page 2

8. The first Declaration of Trust was dated 08/01/72 and amended on 05/12/82 and again on 05/21/91. The trust was then restated on 02/04/01. In the restated trust, the successor disability trustees were the spouse, then Diane, then Sam and the successor death trustee were the spouse, then Sam. The 2001 trust was amended in 2003 to replace Sam with Mick as successor disability and death trustee.
9. On 12/21/06, the trust was entirely restated once again. In this restatement, under the disability provisions of the trust, a co-trustee position was established with the non-incapacitated spouse serving with a co-trustee during any period of incapacity by one of the trustors. The succession of those to serve as both successor disability and successor death trustees was Diane, then Mick, then Linda, then Sam. If the remaining spouse was unable to service, the co-trustee would serve alone.
10. Subsequently, another attorney was contacted and yet another trust was created by attorney Kevin Gunner. Mediation was held and pursuant to a mediated agreement, all trustees stepped down and Bruce Bickel, a professional fiduciary, was appointed as trustee of yet another revised trust. The trust created by Kevin Gunner was titled "The Second Amendment and Full Restatement of the Loeffler Family Trust dated 08/01/72" was signed October 18, 2011.
11. Finally, yet another trust amendment entitled "The First Amendment to the Second Amendment and Full Restatement of the Loeffler Family Trust" was signed on 03/01/12.
12. On 05/15/12, Bruce Bickel stepped down as trustee of the trust at the request of Mrs. Loeffler who admitted to him that she did not want him to step down but was asking him step down at her son, Mick's insistence.

**Background Leading to Current Claims for Relief:**

1. On or about March 2008, Mick was evicted from the home he shared with his girlfriend and moved into the Loeffler's home purportedly to stay for a short time until he could procure employment allowing him to move out of the Loeffler's home.
2. In approximately July 2011, Dr. Loeffler fell and required in-home care. Mick reduced the caregiver hours to the point of being useless and insisted Dr. Loeffler rely solely on Mick, further isolating the couple. With Dr. Loeffler unable to assist himself, much less others, this left Mrs. Loeffler to rely solely on Mick. When asked if they could help, the other three children were told she "didn't think it was a good idea". Towards the end of July 2011, Dr. Loeffler was moved to a skilled nursing home by Diane Huerta to protect him from Mick's unpredictable verbal tirades and to provide the necessary care that was not being provided at home.
3. In approximately October 2011, Mick had all of the locks changed on their parents' home and refused to give any copies of the keys to any of the other children. Prior to this time, all of the children had been free to come and go in their parents' home.
4. From this point on, Dr. and Mrs. Loeffler were in an atmosphere which best could be described as a siege. When the other children were admitted to the home, they witnessed significant verbal abuse, hording, and evidence of substantial use of pain killers by Mick Loeffler. Dr. and Mrs. Loeffler were subjected to ongoing rants replete with obscenities, were taken from professional to professional in an attempt to persuade Dr. and Mrs. Loeffler to change their estate plan, ultimately giving Mick Loeffler complete control over their funds, healthcare and changing the Testator's ultimate gifting plan during life and after death.
5. Knowing Mick had a history of violent behavior and a previous domestic abuse restraining order had been filed against him, the other children were concerned any action to protect their parents might result in harm to their parents or themselves. Hence, they chose to mediate what had, at this point, become seen to be a crisis. This resulted in the drafting of yet another trust.

Continued on Page 3

**Dept. 303, 9:00 a.m., Wednesday, November 5, 2014**

6. In February 2012, Mrs. Loeffler chose to move out of the home to an independent living apartment adjoining Dr. Loeffler's skilled nursing placement.
7. This did not end Mick's ongoing attempts to control his parents. Mick attempted to convince the facility he was the only one to make decisions for Dr. and Mrs. Loeffler's healthcare decisions, when in fact, Diane, held the power of attorney for healthcare.
8. Mick also went from attorney to attorney attempting to get the healthcare power of attorney, durable power of attorney, and the trust changed to put him in control of each instrument.
9. In the meantime, Mick was living rent free in the Loeffler's home and convinced Mrs. Loeffler she could only rely on him (Mick) for food, transportation, advice, safety, etc. and that all of the other family members, friends, advisors, etc. were not to be trusted.
10. Although mediation was attempted and although there appeared to be an agreement, the last amendment represents evidence that the mediation has failed and of further undue influence exerted on the Loefflers.

***First Claim for Relief – Determining the Validity of the Trust or Modifying the Trust***

1. Petitioners request the Court find that with the establishment of the conservatorships of the Loefflers, any Durable Power of Attorney which may exist is now void and there is to be no amendment or modification of the trust without prior court approval.
2. In the alternative, Petitioners request to modify Article II(B)(2) of the Trust to state, upon the finding that the Trustor lacks capacity, Article II(B)(2) is void. Petitioner submit that it is reasonably necessary for the protection of the interests of the trustee or beneficiary to insure no additional revisions are made to this trust and the trust assets are protected removing the possibility the trust might be revised to allow gifting of trust assets prior to the death of both Trustors. As indicated in this Petition, there have been an extraordinary number of changes to this trust and it is reasonable to believe that at least the last two revisions were more likely than not made as a result of the exertion of undue influence on the Trustors by Mick Loeffler.

***Second Claim for Relief – Removing Trustees***

1. Article II(E) of the Trust entitled Successor Trustee, provides in relevant part: "Upon the death, resignation, removal or inability to act of Bruce D. Bickel, then in such event, Fred O. Loeffler and Kathleen Loeffler shall become Co-Trustees of said trust. Upon the death, resignation, removal or inability to act of Fred O. Loeffler or Kathleen D. Loeffler, then in such event, the remaining individual shall become sole trustee hereunder. Upon the death, resignation, removal or inability to act of Fred O. Loeffler and Kathleen D. Loeffler, then in such event, a Professional Licensed Fiduciary, to be appointed by Trustors' son, Mick G. Loeffler, shall serve in this capacity. In the event Mick G. Loeffler is unable or unwilling to appoint a professional licensed fiduciary to serve in this capacity, then in such event, the adult children of Trustors, by majority vote, shall so select a professional licensed fiduciary to serve in this capacity."
2. Petitioners request that the Court remove Fred O. Loeffler and Kathleen D. Loeffler as trustees as they are no longer able to serve in that capacity as they are now conserved under a temporary conservatorship. Petitioners believe both of them lack capacity to act in their own best interest and are subject to undue influence. **Examiners Note: The temporary conservatorship of the Person of both Fred and Kathleen expired on 08/29/13. Bruce Bickel was re-appointed as temporary conservator of the estate of both Fred and Kathleen on 09/25/13 and is the currently acting temporary conservator of the estate.**
3. Petitioners also ask that Mick Loeffler be removed from any position in which he may choose a professional fiduciary or to act as trustee or personal representative. Mick has demonstrated a history of abusing any power left in his hands and it is in the interest of Dr. and Mrs. Loeffler for their estate plan to remain unchanged and to have a professional fiduciary named without Mick's attempt to control that process to his benefit.

Continued on Page 4

**Third Claim for Relief – Appointing Trustees**

1. With the removal of the Loefflers as trustees, a trustee will be required and will need to be appointed in order to appoint a professional fiduciary to act as the Trustee of the Trust. Given the indications of undue influence exerted on the prior trustees, Court supervision is needed to protect the trust assets and those serving as trustees or conservators.
2. Petitioners request the Court appoint both of them in conjunction with Samuel Loeffler, Dr. and Mrs. Loeffler's remaining children, to fulfill the successor trustee provision to appoint a professional fiduciary to administer the trust as provided under Article II(E) and designate that the professional fiduciary named will also serve as conservator of the estate should one be appointed.

**Fourth Claim for Relief – Instructing the Trustee and Compelling Redress of a Breach of Trust**

1. Petitioners request the Court to either compel or instruct the trustee as allowed under Probate Code § 12700(b)(6) to hire a forensic accountant to audit the trust along with prior trusts and provide an accounting of the trust assets beginning January 1, 2008 to the present.
2. Petitioners assert trust funds have been diverted, gifted against the terms of the trust, and/or simply squandered. Mick Loeffler lives in the family home rent free and it is believed is paid for services either unrendered or overcharged. Petitioners believe and are prepared to show that social security checks which have previously been deposited directly into an account believed to be in the trust name are no longer being deposited to that account or any account they are aware of in the name of the Trust or the Trustors, individually.
3. Petitioners request that the court direct the trustee that upon any finding by the forensic accountant indicating funds have not been used for the benefit of the Trustors, the trustee be compelled to redress the breach, that the Court maintain jurisdiction over this case and case numbers 13CEPR00655 and 13CEPR00656, and that the Court maintain oversight of the administration of the trust.

**Preliminary Injunction Prohibiting Further Disbursements to Mick Loeffler**

1. Petitioners request that any person acting as trustee of the Trust or as the personal representative of Dr. and Mrs. Loeffler be enjoined from distributing any assets held in Trust to Mick Loeffler without further Court order.

**Petitioners pray for an Order:**

1. That the Court determine the validity of Article II(B)(2) of the Trust. Petitioners request the court find that with the establishment of the conservatorships any Durable General Power of Attorney which may exist is now void, and there is to be no amendment or modification of the trust without prior court approval, or in the alternative, that Article II(B)(2) be modified to state, upon the finding that either Trustor lacks capacity, Article II(B)(2) is void and the Trust may no longer be modified without prior court approval;
2. That the Court remove Fred O. Loeffler and Kathleen Loeffler and Mick Loeffler as Trustees of the Trust, remove Mick Loeffler from any position in which he may choose a professional fiduciary or to act as trustee or personal representative;
3. That the Court appoint Petitioners in conjunction with Samuel Loeffler to choose a professional fiduciary to act as the successor trustee of the trust as provide by the Trust;
4. That the Court designate that any trustee of the Trust which is appointed will also be named as the Conservator of the Estate if one is needed;
5. That the Court compel or instruct the trustee to hire a forensic accountant to audit the trust along with prior trusts and provide an accounting of the trust assets beginning with 01/01/08 to the present;
6. That the Court direct the trustee that upon any finding by the forensic accountant or any other party indicating funds have not been used for the benefit of the Trustors, the trustee be compelled to redress the breach;
7. That the Court maintain jurisdiction over this case and case numbers 13CEPR00655 and 13CEPR00656;
8. That the Court maintains oversight of the administration of the Trust; and
9. That the Court issue a preliminary injunction enjoining any person acting as trustee of the Trust or as the personal representative of Dr. and Mrs. Loeffler from distribution any assets held in the Trust to Mick Loeffler without further order of this Court.



**13B Loeffler Family Trust** Case No. 13CEPR00736  
 Atty Downing, Marcella and McLaughlin, William T, II (for Diane Huerta – daughter)  
 Atty Johnson, Summer A. (for Bruce Bickel – Conservator/Petitioner)  
 Atty Bagdasarian, Gary G. (for Linda Plitt – daughter)  
 Atty Jenkins, Shani D (for Mick Loeffler – son)  
 Atty Farley, Michael L. and Barkinskaya, Jennie (for Fred and Kathleen Loeffler – Trustors)  
 Petition for Approval of First and Final Account and Report of Temporary Trustee:  
 Request for Approval of Payment of Trustee's Attorney's Fees; Request for  
 Authorization to Transfer Trust Assets to Successor Trustee; and Discharge of  
 Temporary Trustee

		<b>BRUCE BICKEL</b> , Temporary Trustee of THE LOEFFLER FAMILY TRUST, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Pages 11 and 12 are related conservatorship matters.										
		Account period: <b>11/01/13 – 08/31/14</b>											
<b>Cont. from</b>		Accounting - <b>\$1,156,834.46</b>	<table border="1"> <tr><td colspan="2"><b>Reviewed by:</b> JF</td></tr> <tr><td colspan="2"><b>Reviewed on:</b> 11/04/14</td></tr> <tr><td colspan="2"><b>Updates:</b></td></tr> <tr><td colspan="2"><b>Recommendation:</b></td></tr> <tr><td colspan="2"><b>File 13B – Loeffler</b></td></tr> </table>	<b>Reviewed by:</b> JF		<b>Reviewed on:</b> 11/04/14		<b>Updates:</b>		<b>Recommendation:</b>		<b>File 13B – Loeffler</b>	
<b>Reviewed by:</b> JF													
<b>Reviewed on:</b> 11/04/14													
<b>Updates:</b>													
<b>Recommendation:</b>													
<b>File 13B – Loeffler</b>													
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$1,104,311.73</b>											
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$1,052,226.32</b>											
<input type="checkbox"/>	<b>Inventory</b>	Trustee - <b>Not addressed</b>											
<input type="checkbox"/>	<b>PTC</b>	Attorney - <b>\$12,306.25</b> (44.75 hours @ \$275/hr.)											
<input type="checkbox"/>	<b>Not.Cred.</b>	Costs - <b>\$989.03</b> (for filing fees, postage for mail to more than 10 recipients, certified copies)											
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Petitioner prays for an Order:</b>											
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	13. Approving, allowing and settling the first and final account;											
<input type="checkbox"/>	<b>Aff.Pub.</b>	14. Authorizing the attorney fees and commissions;											
<input type="checkbox"/>	<b>Sp.Ntc.</b>	15. Authorizing the attorney's costs and reserve requested;											
<input type="checkbox"/>	<b>Pers.Serv.</b>	16. Authorizing and directing Bruce Bickel, as Temporary Trustee, to transfer the assets of THE LOEFFLER FAMILY TRUST to the Successor Trustee of THE LOEFFLER FAMILY TRUST, including authorization to sign any and all documents, including, but not limited to, bank forms, transfer documents, check requests, and the like, to effectuate the transfer of the assets THE LOEFFLER FAMILY TRUST; and											
<input type="checkbox"/>	<b>Conf. Screen</b>	17. Such other relief that the Court deems proper.											
<input type="checkbox"/>	<b>Letters</b>												
<input type="checkbox"/>	<b>Duties/Supp</b>												
<input type="checkbox"/>	<b>Objections</b>												
<input type="checkbox"/>	<b>Video Receipt</b>												
<input type="checkbox"/>	<b>CI Report</b>												
<input type="checkbox"/>	<b>9202</b>												
<input checked="" type="checkbox"/>	<b>Order</b>												
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<input type="checkbox"/>	<b>Status Rpt</b>												
<input type="checkbox"/>	<b>UCCJEA</b>												
<input type="checkbox"/>	<b>Citation</b>												
<input type="checkbox"/>	<b>FTB Notice</b>												

Continued on Page 2

**Kathleen Loeffler and Fred Loeffler's Statement of Non-Opposition to Bruce D. Bickel's Petition for Approval of First and Final Account, etc.** filed 10/22/14 states that without conceding that the terms of the Settlement Agreement prepared at the conclusion of mediation which took place on May 17, 2014 are valid, neither Fred or Kathleen object to the requests sought in the petition, namely, the Request for Authorization to Transfer Trust Assets to the Successor Trustee and Discharge of Temporary Trustee. Pursuant to the terms of Section II E of the Second Amendment and Full Restatement of The Loeffler Family Trust dated 08/01/72, upon the resignation of Bruce Bickel as Temporary Trustee, "Fred O. Loeffler and Kathleen D. Loeffler shall become the co-trustees of [the Trust]" and further, "upon the death, resignation, removal or inability to act of Fred O. Loeffler or Kathleen D. Loeffler, then in such event, the remaining individual shall become the sole Trustee...". Given that there has not been a determination that Fred or Kathleen are incompetent, they are both eligible to serve as successor Co-Trustees since Bruce Bickel was appointed as temporary Trustee and is seeking to be discharged at this time.

Atty Nielson, Bruce, sole practitioner (for Movant Kathleen Marie Wynn, daughter)

**Notice of Motion and Motion to Set Aside the Dismissal and to Accept  
Amended Petition for Probate of Will and for Letters Testamentary**

<b>DOD: 7/22/2013</b>	<b>KATHLEEN MARIE WYNN</b> , daughter, is Movant.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Movant states</b> she will be asking the Court for an Order granting the relief as requested in the Motion to Set Aside pursuant to Code of Civil Procedure § 473, based upon one or more of the following grounds:	<b>OFF CALENDAR</b> <b>Withdrawal of Motion was filed 10/30/2014.</b>
	<ul style="list-style-type: none"> <li>• Mistake;</li> <li>• Inadvertence.</li> </ul>	
<b>Cont. from 100814</b>	Motion is based upon the Memorandum of Points and Authorities and the Declaration of Kathleen M. Wynn, and on all the pleadings, records and files in this action.	<b>Continued from 10/8/2014.</b> Minute Order states Mr. [Bruce] Nielson, is appearing as counsel for Kathleen Wynn. Counsel is ordered to submit Points and Authorities as to why the motion to set aside the dismissal is appropriate.
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		<b>Note:</b> Minute Order dated 8/13/2014 [Judge Smith] states: No appearances. Petition is denied and dismissed without prejudice.
<b>Inventory</b>		
<b>PTC</b>		<b>Note:</b> The hearing set for 10/8/2014 is for the Petitioner's motion, not for the Petitioner's amended petition. cursory review of the amended petition attached to Petitioner's motion indicates that the amended petition contains several significant defects which must be addressed prior to the Court properly granting the amended petition, including, but not limited to, the deposit of the Decedent's original Will with the Court, newspaper publication of the hearing date for the amended petition, and service of notice of hearing to estate heirs and to the beneficiaries of <b>THE MORSE TRUST dated 3/3/2006</b> , which is the residual beneficiary of the Decedent's Will. Petitioner must separately file her amended petition with the Court, at which time a new hearing date will be given for use in serving notice, and the amended petition will then be reviewed by the Court with notes prepared prior to the new hearing.
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Declaration of Respondent Kathleen Wynn states:</b>	<b>Reviewed by:</b> LEG
<b>Aff.Mail</b>	<ul style="list-style-type: none"> <li>• In the present case the Petitioner was preparing an amended petition which was to be filed prior to the 9/11/2014 hearing;</li> </ul>	
<b>Aff.Pub.</b>	<ul style="list-style-type: none"> <li>• Petitioner requests that the Court accept this amended petition and asks that the Court issue Letters Testamentary in accordance with this Amended Petition (please see <i>Attachment A</i>);</li> </ul>	<b>Reviewed on:</b> 11/3/14
<b>Sp.Ntc.</b>	<ul style="list-style-type: none"> <li>• On 7/30/2014, this matter came before this Court; the Court required corrections and continued the hearing [to 8/13/2014];</li> </ul>	
<b>Pers.Serv.</b>	<ul style="list-style-type: none"> <li>• She believed the continued date was set for 9/11/2014, and only recently found out that the hearing was actually scheduled for 8/13/2014;</li> </ul>	<b>Updates:</b>
<b>Conf. Screen</b>	<ul style="list-style-type: none"> <li>• On 8/13/2014, she failed to attend the hearing by mistake, and therefore the Court dismissed this matter without prejudice;</li> </ul>	
<b>Letters</b>	<ul style="list-style-type: none"> <li>• She is requesting that the Court set aside the dismissal and issue Letters Testamentary as the Amended Petition;</li> </ul>	<b>Recommendation:</b>
<b>Duties/S</b>	<ul style="list-style-type: none"> <li>• In the Amended Petition she requests to be the executor of her late mother's estate as per her Will (attached as <i>Exhibit B</i>);</li> </ul>	
<b>Objections</b>	<ul style="list-style-type: none"> <li>• She is requesting that she be allowed to sell her mother's home, and that the assets of the estate be divided as per her mother's Will and Trust.</li> </ul>	<b>File 14 - Morse</b>
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

Atty Kruthers, Heather H. (for Fresno County Public Guardian – Petitioner)

Atty Fanucchi, Edward L. (Court appointed for Proposed Conservatee)

Atty Kelley, Darlene (Pro Per – Niece – Competing Petitioner)(Little Rock, AR)

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C.  
1820, 1821, 2680-2682)

<b>TEMP EXPIRES 11-5-14</b>		
<p><b>The FRESNO COUNTY PUBLIC GUARDIAN</b> is Petitioner and requests appointment as Conservator of the Person with medical consent powers under Probate Code §2355.</p> <p>Petitioner also requests authorization under Probate Code §2540 to retain a licensed real estate broker to sell the proposed Conservatee's real property and any personal property no longer needed by the Conservatee.</p> <p><b>Voting rights affected</b></p> <p><b>A Capacity Declaration was filed 10-8-14.</b></p> <p><b>Petitioner states</b> the proposed Conservatee is a 79-year-old woman who appears to be suffering from dementia. She reportedly lives with different relatives at different times during the year. She has been in Fresno since June 2014. Based on a review of bank records and a discussion with bank staff, there is ample evidence to support that Ms. Brown has been and continues to be a victim of financial elder abuse by her nieces and nephews. Approximately \$17,000 was withdrawn from Ms. Brown's account in July 2014. A nephew reported that he knows nothing about these disbursements, but he has a handwritten will that would give him Ms. Brown's full estate.</p> <p><b>Petitioner's Declaration filed 11-3-14 states</b> Deputy Public Guardian Jennifer Segura discussed Petitioner's request to sell the Conservatee's former residence with the Conservatee on 10-1-14. The declaration states Ms. Brown did not disagree or object.</p> <p><b>Court Investigator Julie Negrete filed a report on 10-28-14.</b></p>		
<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> Darlene Kelley, niece, of Little Rock, AR, filed a competing petition on 10-24-14 that is set for hearing on 12-9-14.</p> <p>Court Investigator advised rights 10-17-14</p> <p>Voting rights affected – need minute order.</p> <p>1. Petitioner did not request dementia medication or placement powers; however, the Capacity Declaration does address capacity to consent to dementia medication. The Court may require additional information or amendment and notice if dementia powers are to be requested based on the Capacity Declaration.</p> <p><u>Note:</u> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> <li>Wednesday, April 1, 2015 for filing the Inventory and Appraisal</li> <li>Wednesday, April 6, 2016 for filing the First Account</li> </ul> <p>If the appropriate items are on file prior to the status hearing dates pursuant to Local Rules, the status hearings may be taken off calendar.</p>		
Reviewed by: skc		
Reviewed on: 11-3-14		
Updates:		
Recommendation:		
File 15 – Brown		

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W
	Aff.Pub.	
	Sp.Ntc.	
✓	Pers.Serv.	W
	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	
✓	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
✓	Citation	
	FTB Notice	

## **Petition to Determine Succession to Real Property (Prob. C. 13151)**

DOD: 8/30/14		<b>BETTY A. BERTSCH</b> , mother, is petitioner.  40 days since DOD.  No other proceedings.  Decedent died intestate.  I & A                    - <b>\$100,000.00</b>  <b>Petitioner requests</b> Court determination that Decedent's 100% interest in real property pass to her pursuant to intestate succession.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: KT				
Reviewed on: 11/3/14				
Updates:				
Recommendation: SUBMITTED				
File 16 – Bertsch				

DOD: 5-29-14		EDWARD MARQUEZ and FRANK MARQUEZ, Sons, are Petitioners.  40 days since DOD  No other proceedings  I&A: \$130,000.00  Decedent died intestate  Petitioners request Court determination that the decedent's 100% interest in the real property located at 755 W. Andrews in Fresno passes to them in one-half undivided interests each.	NEEDS/PROBLEMS/COMMENTS:	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
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<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 11-3-14	
			Updates:	
			Recommendation: SUBMITTED	
			File 17 – Marquez	

Atty Rivas, Natalie (pro per Mother)

Atty Crane, Sandra Romero (pro per Guardian/maternal grandmother)

**Status Hearing Re: Establishing of Guardianship in Nevada**

<b>Age: 16</b>	<p><b>SANDRA ROMERO CRANE</b>, maternal grandmother, was appointed guardian on 11/16/1999.</p> <p>On 9/16/14 the Court granted <b>SANDRA ROMERO CRANE'S</b> Petition to Fix Residence Outside the State of California.</p> <p><b>Minute order dated 6/25/14</b> (on Mom's Petition to Terminate the Guardianship) indicated Sandra Crane Romero informed the Court that she was living in Nevada. The Court directed Ms. Crane to seek a guardianship in Nevada. This status hearing was set regarding the establishment of a guardianship in Nevada.</p> <p><b>Minute Order dated 10/1/14</b> states no appearances. Petition needs to be filed in Nevada in order for this guardianship to be terminated. – A copy of the minute order was mailed to Sandra Crane on 10/1/14.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need status of establishment of guardianship in Nevada.</p> <p><b>Note:</b> Ms. Crane has filed a document entitled "Filing of Foreign Judgment" which appears to register the California Letters of Guardianship with the Nevada Court. Probate Code §2352(d) requires the guardian to cause a guardianship proceeding or its equivalent to be commenced in the place of the new residence, when the ward has resided in the place of the new residence for a period of four months or longer. It appears that by just registering the Letters in Nevada, California still retains jurisdiction.</p>
<b>Cont. from 100115</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 11/3/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 18 - Rivas</b>

**& Selena Bolech (GUARD/P)**

Atty Abraugh, Billy R. (pro per maternal grandfather/guardian of Anthony, Trevar &amp; Jaiden)

Atty Clark, Regina (pro per paternal step-grandmother/guardian of Selena)

Atty Bolech, Sherrie Marie (pro per Petitioner/mother)

Atty Clark, Daniel (pro per Petitioner/father of Selena)

**Petition for Visitation**

Anthony Age 7	<b>DANIEL CLARK</b> , father of Selena, and	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>A Petition to Terminate the Guardianship was filed by Daniel Clark and Sherri Bolech and is set for hearing on 12/10/14.</b>  1. Need proof of service of the Notice of Hearing on: a. Billy Abraugh (guardian) b. Regina Clark (guardian) – <u><b>Note:</b></u> Proof of service filed on 10/9/14 indicates Regina Clark was personally served via Daniel Clark. – Ms. Clark cannot be served through one of the petitioners.
Trevar Age: 6	<b>SHERRI BOLECH</b> , mother, are petitioners.	
Jaiden Age: 5	<b>REGINA CLARK</b> , paternal step-grandmother, was appointed guardian of Selena Bolech on 01/27/2014.	
Selena Age: 3	<b>BILLY ABRAUGH</b> , maternal grandfather, was appointed guardian of Anthony Abraugh, Trevar Bolech, and Jaiden Bolech, on 01/18/2011.	
Cont. from	Father (of Anthony, Trevar, Jaiden): <b>JOHN BOLECH</b>	
Aff.Sub.Wit.	Paternal grandfather (of Selena): Daniel W. Clark	
✓ Verified	Paternal grandfather (of Anthony, Trevar, Jaiden): Unknown	
Inventory	Paternal grandmother (of Selena): Shirley Stairs	
PTC	Paternal grandmother (of Anthony, Trevar, Jaiden): Isabell Flores	
Not.Cred.	Maternal grandmother: Sherrie Abraugh	
✓ Notice of Hrg	<b>Petitioners state</b> they would like to take their visits with the children to the next level. Both guardians have denied their requests. Petitioners are asking for overnight visits with their children from Friday at 6:00 p.m. to Sunday at noon. Petitioners feel mediation will not solve their problems. The petitioners state as of now they have supervised visits. Petitioners state they have their own home with rooms and beds for the children. The children need bonding time with their new baby sister.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

**Reviewed by: KT****Reviewed on: 11/5/14****Updates:****Recommendation:****File 19 – Bolech & Abraugh**



			<b>Court Investigator JENNIFER YOUNG is Petitioner.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>		<b>Petitioner states</b> the Conservatee currently resides in Dos Palos, CA., which is Merced County. The Conservatee has resided in Merced County for over 30 years.	<b>Note:</b> If granted, the Court will set a status hearing for the receipt of transfer by Merced County for Wednesday, January 7, 2015.
	<b>Inventory</b>			
	<b>PTC</b>		It is presumed pursuant to Probate Code §2215 that transfer of the conservatorship to the county of residence is in the best interest of the Conservatee.	
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>	W	It is recommended that fees and costs related to this transfer be waived.	
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
				<b>Reviewed by:</b> skc
				<b>Reviewed on:</b> 11-3-14
				<b>Updates:</b>
				<b>Recommendation:</b>
				<b>File 20 – Broughton</b>

First Amended Account and Report of Conservator of Estate, Petition for Approval

		<b>CHARLOTTE A. YOUNG</b> , Daughter and Conservator without bond, is Petitioner.  Account period: 5-12-13 through 6-30-14  Accounting: ?? (An accounting is not provided in accordance with Probate Code §§ 2620, 1060.)  Beginning POH: Not stated Ending POH: \$748.32  Conservator states she has paid Legal Tech \$200.00 and \$250.00 remains due.  Conservator requests \$50.00/month for her reasonable services as conservator.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. <u>Need amended accounting.</u> The Accounting as presented does not meet the requirements of Probate Code §§ 2620, 1060. <u>Issues include but are not limited to:</u> - Accounting does not balance - Beginning property on hand (POH) does not match the Inventory and Appraisal - Petitioner does not include most of the required schedules (receipts, disbursements, POH) on Mandatory Judicial Council form - Petitioner does not provide account statements - Petitioner does not provide statements from the care home  2. <u>Need Notice of Hearing to interested parties pursuant to Probate Code §§1460, 1461.5 (including to the Office of Veterans Administration).</u>  3. <u>The Court does not authorize payments to non-attorney document services used by conservators in pro per from estate funds. Any payments made to a document preparation service from the conservatorship estate should be refunded immediately.</u>  <u>Again, Petitioner is strongly encouraged to seek attorney assistance to prepare accountings.</u>
<b>Cont. from 092414</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 10-31-14 <b>Updates:</b> <b>Recommendation:</b> <b>File 21 - Hopkins</b>	

		<b>TEMP EXPIRES 11-5-14</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>BRENDA MANAGAN</b> , paternal grandmother, is Petitioner.	<b>1. Need Notice of Hearing.</b>
		Father: <b>ROBERT CLARK</b> – deceased	<b>2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice on:</b> - Tiffni Russell (Mother)
<input type="checkbox"/>	Aff.Sub.Wit.	Mother: <b>TIFFNI RUSSELL</b> – Present at hearing 9-15-14	<b>3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</b> - William Clark (Paternal Grandfather) - Maternal Grandfather - Maternal Grandmother
<input checked="" type="checkbox"/>	Verified	Paternal grandfather: WILLIAM CLARK	
<input type="checkbox"/>	Inventory	Maternal grandparents: UNKNOWN	
<input type="checkbox"/>	PTC	<b>Petitioner states</b> the father, who had legal and physical custody of the minor, passed away 7-14-14. The mother had supervised visitation due to drug use however, she did not follow the Court's order and has not been part of the minor's life. She saw him once when he was six months old. He does not know her. Petitioner's declaration states it is her understanding through the police that were at her door at 1:15am that the mother lied to the police that she had joint custody. Petitioner showed them the Court's order, and they did not remove the minor from Petitioner.	
<input type="checkbox"/>	Not.Cred.	Petitioner fears for her grandson's safety if he is removed from her custody.	
<input type="checkbox"/>	Notice of Hrg	<b>Court Investigator Julie Negrete filed a report on 10-21-14.</b>	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: skc
Reviewed on: 11-3-14
Updates:
Recommendation:
File 22 – Clark

**23A Jasean Bess & Jashaya Sumlin (GUARD/P)**  
 Atty Bess, Courtney Lynn (Pro Per – Maternal Aunt – Petitioner)  
 Atty Hurlburt, Dennis (Pro Per – Father – Objector)

Case No. 14CEPR00806

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

			<b>TEMP EXPIRES 11-5-14</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			<b>COURTNEY LYNN BESS</b> , Maternal Aunt, is Petitioner.	<p><u>Note</u>: This petition pertains to the minor <u>Jasean Bess</u> only. Page B is a petition for guardianship of the minor Jashaya Sumlin filed by Petitioner Breshia Robinson.</p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Dennis Hurlburt (Father)</li> <li>3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Jeffery Bess (Maternal Grandfather) - Maternal Grandmother - Paternal Grandfather - Paternal Grandmother</li> </ol>
			Father: <b>NOT LISTED (DENNIS HURLBURT per Objection filed 10-1-14)</b>	
			Mother: <b>JEZELL BESS</b> - Declaration of Due Diligence filed 9-2-14 - Notice dispensed per Minute Order 9-16-14	
<input type="checkbox"/>	Aff.Sub.Wit.		Paternal Grandfather: Not listed Paternal Grandmother: Not listed	
<input checked="" type="checkbox"/>	Verified		Maternal Grandfather: Jeffery Bess Maternal Grandmother: Not listed	
<input type="checkbox"/>	Inventory		<b>Petitioner states</b> the mother is in and out of jail. Circumstances cause her to take off. Petitioner feels the minor needs a caring, loving, and nurturing home and deserves a chance at life.	
<input type="checkbox"/>	PTC		<b>Court Investigator Dina Calvillo filed a report on 10-29-14.</b>	
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg	X		
<input type="checkbox"/>	Aff.Mail	X		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.	X		
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections	X		
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				Reviewed by: skC
				Reviewed on: 11-3-14
				Updates:
				Recommendation:
				File 23A – Bess & Sumlin

23A

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		<b>TEMP EXPIRES 11-5-14</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>BRESHIA ROBINSON</b> , Maternal Great-Aunt, is Petitioner.	<b>Note:</b> This petition pertains to the minor Jashaya only. See Page A regarding the minor Jasean.
		Father: <b>NOT LISTED</b>	
		Mother: <b>JEZELL BESS</b>	1. Need clarification: Is Jashaya's last name: "Sumlin" (with a U) or "Somlin" (with an O)?
		- Declaration of Due Diligence filed 9-2-14 - Notice dispensed per Minute Order 9-16-14	
<input type="checkbox"/>	Aff.Sub.Wit.		2. Need Notice of Hearing.
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		3. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Jashaya's father
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		4. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Yolanda Moore (Maternal Grandmother) - Maternal Grandfather - Maternal Grandmother - Paternal Grandfather - Paternal Grandmother
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	x	Reviewed by: skc
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		Reviewed on: 11-3-14
<input type="checkbox"/>	Pers.Serv.	x	
<input checked="" type="checkbox"/>	Conf. Screen		Updates:
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		Recommendation:
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		File 23B – Bess & Sumlin
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

**24A Leah Michelle Sanders (GUARD/P)**  
**Atty Kerr, Rebecca (Pro Per – Petitioner – Maternal Aunt)**  
**Atty Brewer, Ronnie T. (Pro Per – Competing Co- Petitioner)**  
**Atty Sanders, Margaret (Pro Per – Competing Co-Petitioner)**

Case No. 14CEPR00952

**Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)**

<b>Age: 10</b>		<b><u>GENERAL HEARING 12/16/2014</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>REBECCA KERR</b> , maternal aunt, is petitioner.		<b>24 B is the Competing Temporary Petition filed by Ronnie T. Brewer, step-father, and Margaret Sanders, paternal grandmother.</b>  <b>Continued from 10/30/2014.</b>	
		Father: <b>JIMMY LEE SANDERS</b> , Deceased			
		Mother: <b>LAURA KERR</b> , Deceased			
<b>Cont. from 103014</b>		Paternal Grandfather: James Sanders, Declaration of Due Diligence filed 10/21/2014			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Paternal Grandmother: Margaret Sanders			
<input checked="" type="checkbox"/>	<b>Verified</b>	Maternal Grandfather: Ralph Kerr Maternal Grandmother: Brenda Little			
<input type="checkbox"/>	<b>Inventory</b>	<b>Petitioner states:</b> The minor child needs the petitioner to be appointed as her guardian as petitioner is blood related. Petitioner has been in the child's life since she was born. Ronnie T. Brewer was the ex-boyfriend of the mother, he is not related to the child. Petitioner alleges that Ronnie T. Brewer is an alcoholic and severe cocaine addict and has severe gambling problems. She also states that he was physically and verbally abusive toward the mother and he left her before she passed away. Petitioner alleges that the house is not safe and has mold everywhere and the child has been sick due to the mold. Petitioner believes that her sister, the child's mother, would not want Ronnie T. Brewer to have custody of the child.			
<input type="checkbox"/>	<b>PTC</b>				
<input type="checkbox"/>	<b>Not.Cred.</b>				
<input type="checkbox"/>	<b>Notice of Hrg</b>	n/a			
<input type="checkbox"/>	<b>Aff.Mail</b>	n/a			
<input type="checkbox"/>	<b>Aff.Pub.</b>				
<input type="checkbox"/>	<b>Sp.Ntc.</b>				
<input type="checkbox"/>	<b>Pers.Serv.</b>	n/a			
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>				
<input checked="" type="checkbox"/>	<b>Letters</b>				
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>				
<input type="checkbox"/>	<b>Objections</b>				
<input type="checkbox"/>	<b>Video Receipt</b>				
<input type="checkbox"/>	<b>CI Report</b>				
<input type="checkbox"/>	<b>9202</b>				
<input checked="" type="checkbox"/>	<b>Order</b>				
<input type="checkbox"/>	<b>Aff. Posting</b>				
<input type="checkbox"/>	<b>Status Rpt</b>				
<input checked="" type="checkbox"/>	<b>UCCJEA</b>				
<input type="checkbox"/>	<b>Citation</b>				
<input type="checkbox"/>	<b>FTB Notice</b>				
				<b>Reviewed by:</b> LV	
				<b>Reviewed on:</b> 10/28/2014	
				<b>Updates:</b>	
				<b>Recommendation:</b>	
				File 24A - Sanders	

**24A**

**24B Leah Michelle Sanders (GUARD/P)**  
 Atty Kerr, Rebecca (Pro Per – Competing Petitioner – Maternal Aunt)  
 Atty Brewer, Ronnie T. (Pro Per –Co- Petitioner- Step-Father)  
 Atty Sanders, Margaret (Pro Per – Co-Petitioner – Paternal Grandmother)

Case No. 14CEPR00952

**Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)**

<b>Age: 10</b>		<b><u>GENERAL HEARING 12/16/2014</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>		
		<p><b>RONNIE T. BREWER</b>, step-father, and <b>MARGARET SANDERS</b>, paternal grandmother, are petitioners.</p> <p>Father: <b>JIMMY LEE SANDERS</b>, Deceased</p> <p>Mother: <b>LAURA KERR</b>, Deceased</p> <p>Paternal Grandfather: James Sanders, served by mail 10/24/2014</p> <p>Paternal Grandmother: Margaret Sanders</p> <p>Maternal Grandfather: Ralph Kerr, served by mail on 10/24/2014</p> <p>Maternal Grandmother: Brenda Little, served by mail on 10/24/2014</p> <p><b>Petitioners state</b> both parents are deceased and more recently the mother passed away on 09/29/2014. The child knows the petitioner as her father. The paternal grandmother lives close and also cares for the children and assists with the guardianship duties. Petitioner's request immediate assistance in the appointment of the guardianship to continue the child's maintenance and needs.</p> <p>UCCJEA indicates that the minor child has been residing with the proposed guardian, Ronnie T. Brewer, since 2010.</p>		<p><b>24A is the Competing Temporary Petition filed by Rebecca Kerr, maternal aunt.</b></p>		
<b>Cont. from</b>						
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>					
<input checked="" type="checkbox"/>	<b>Verified</b>					
<input type="checkbox"/>	<b>Inventory</b>					
<input type="checkbox"/>	<b>PTC</b>					
<input type="checkbox"/>	<b>Not.Cred.</b>					
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>					
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>					w/
<input type="checkbox"/>	<b>Aff.Pub.</b>					
<input type="checkbox"/>	<b>Sp.Ntc.</b>					
<input type="checkbox"/>	<b>Pers.Serv.</b>					n/a
<input type="checkbox"/>	<b>Conf. Screen</b>					
<input type="checkbox"/>	<b>Letters</b>					
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>					
<input type="checkbox"/>	<b>Objections</b>					
<input type="checkbox"/>	<b>Video Receipt</b>					
<input type="checkbox"/>	<b>CI Report</b>					
<input type="checkbox"/>	<b>9202</b>					
<input checked="" type="checkbox"/>	<b>Order</b>					
<input type="checkbox"/>	<b>Aff. Posting</b>					
<input type="checkbox"/>	<b>Status Rpt</b>					
<input checked="" type="checkbox"/>	<b>UCCJEA</b>					
<input type="checkbox"/>	<b>Citation</b>					
<input type="checkbox"/>	<b>FTB Notice</b>					
				<b>Reviewed by: LV</b>		
				<b>Reviewed on: 11/3/2014</b>		
				<b>Updates:</b>		
				<b>Recommendation:</b>		
				<b>File 24B – Sanders</b>		

**24B**

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

<b>Age: 3 weeks</b>		<p align="center"><b><u>GENERAL HEARING 1/6/14</u></b></p> <p><b>WILLIE MAE JOHNSON</b>, maternal aunt, is petitioner.</p> <p>Father: <b>RICHARD CAMPBELL, SR.</b> – <i>consents and waives notice.</i></p> <p>Mother: <b>JAHADRAH JOHNSON</b> – <i>consents and waives notice.</i></p> <p>Paternal grandfather: Narvel Boston          Paternal grandmother: Selestine Campbell          Maternal grandfather: Lodie Caldwell          Maternal grandmother: Rosalind Caldwell</p> <p><b>Petitioner states</b> she would like placement of the child as a safety plan in lieu of foster care until Jahadrah and Richard are found capable of caring for baby Richard.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			N/A
<input type="checkbox"/>	<b>Aff.Mail</b>			
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
✓	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
✓	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
✓	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
		<b>Reviewed by: KT</b> <b>Reviewed on: 11/3/14</b> <b>Updates:</b> <b>Recommendation:</b> <b>File 25 – Campbell</b>		



**Petition for Approval of Exemption from All Accounting Requirement for Small Estate; Request for Termination of Conservatorship and Discharge of Personal Conservator (Representative) and Request for Waiver of Fees.**

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td><b>DOD: 7/30/14</b></td><td></td></tr> <tr><td> </td><td></td></tr> <tr><td> </td><td></td></tr> <tr><td> </td><td></td></tr> <tr><td> </td><td></td></tr> <tr><td><b>Cont. from 090414, 100214</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Aff.Sub.Wit.</b></td><td></td></tr> <tr><td><input checked="" type="checkbox"/> <b>Verified</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Inventory</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>PTC</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Not.Cred.</b></td><td></td></tr> <tr><td><input checked="" type="checkbox"/> <b>Notice of Hrg</b></td><td></td></tr> <tr><td><input checked="" type="checkbox"/> <b>Aff.Mail</b></td><td>W/</td></tr> <tr><td><input type="checkbox"/> <b>Aff.Pub.</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Sp.Ntc.</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Pers.Serv.</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Conf. Screen</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Letters</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Duties/Supp</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Objections</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Video Receipt</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>CI Report</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>2620(c)</b></td><td>X</td></tr> <tr><td><input type="checkbox"/> <b>Order</b></td><td>X</td></tr> <tr><td><input type="checkbox"/> <b>Aff. Posting</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Status Rpt</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>UCCJEA</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>Citation</b></td><td></td></tr> <tr><td><input type="checkbox"/> <b>FTB Notice</b></td><td></td></tr> </table>	<b>DOD: 7/30/14</b>										<b>Cont. from 090414, 100214</b>		<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		<input checked="" type="checkbox"/> <b>Verified</b>		<input type="checkbox"/> <b>Inventory</b>		<input type="checkbox"/> <b>PTC</b>		<input type="checkbox"/> <b>Not.Cred.</b>		<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/	<input type="checkbox"/> <b>Aff.Pub.</b>		<input type="checkbox"/> <b>Sp.Ntc.</b>		<input type="checkbox"/> <b>Pers.Serv.</b>		<input type="checkbox"/> <b>Conf. Screen</b>		<input type="checkbox"/> <b>Letters</b>		<input type="checkbox"/> <b>Duties/Supp</b>		<input type="checkbox"/> <b>Objections</b>		<input type="checkbox"/> <b>Video Receipt</b>		<input type="checkbox"/> <b>CI Report</b>		<input type="checkbox"/> <b>2620(c)</b>	X	<input type="checkbox"/> <b>Order</b>	X	<input type="checkbox"/> <b>Aff. Posting</b>		<input type="checkbox"/> <b>Status Rpt</b>		<input type="checkbox"/> <b>UCCJEA</b>		<input type="checkbox"/> <b>Citation</b>		<input type="checkbox"/> <b>FTB Notice</b>		<p><b>MONTIE DAY</b>, Conservator, is petitioner.</p> <p><b>Petitioner states</b> between the opening of the conservatorship and the date of death of Thelma Day, the conservatorship received \$1,167 per month from social security. The amount of the care facility (Clovis Quality Care) was approximately \$3,200.00 per month. Accordingly the money was transferred to the Thelma Day Trust and used 100% for the care of Thelma Day. The estate at the beginning of the account period was \$2,000.00 and at the end of the account period \$13,562.36. Therefore the estate meets the requirements of Probate Code §2628 to be exempt for the requirements of an accounting. At the end of this period of account there are no assets, cash or otherwise held by Thelma Day or by the Conservatorship.</p> <p>Due to the limited resources (none remaining in the conservatorship), Petitioner requests that any court filing fees be waived and the conservatorship terminated.</p> <p style="text-align: center;"><b>Please see additional page</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need bank statements pursuant to Probate Code §2620(c)(2).</li> <li>2. Proof of service was signed by Petitioner, Montie S. Day. A party to the action cannot effectuate service.</li> <li>3. Proof of service was mailed on 10/24/14, 10 days-notice and not the required 15 days-notice.</li> <li>4. Need Order</li> </ol> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr><td><b>Reviewed by: KT</b></td></tr> <tr><td><b>Reviewed on: 11/4/14</b></td></tr> <tr><td><b>Updates:</b></td></tr> <tr><td><b>Recommendation:</b></td></tr> <tr><td><b>File 26 – Day</b></td></tr> </table>	<b>Reviewed by: KT</b>	<b>Reviewed on: 11/4/14</b>	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 26 – Day</b>
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**Wherefore, Petitioner prays for an order:**

1. For an order that any accounting and report be waived pursuant to Probate Code §2628;
2. For an order discharging Montie S. Day as Conservator for the Conservatorship of Thelma L. Day;
3. For a Waiver of all fees in that the conservatorship has no assets to pay such fees;
4. For such other and further orders as the Court deems proper.

**1A Fred Loeffler (CONS/PE)**

Case No. 13CEPR00655

Atty Downing, Marcella (for Diane Huerta – daughter)  
 Atty Rube, Melvin K. (for Conservatee)  
 Atty Magness, Marcus D. (for Mick Loeffler – son)  
 Atty Johnson, Summer A. (for Bruce Bickel – Temp. Cons. of the Estate/Petitioner)  
 Atty Bagdasarian, Gary G. (for Linda Plitt – daughter)

**Petition for Approval of Settlement Agreement**

		<b>BRUCE BICKEL</b> , Temporary Conservator of the Estate, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>CONTINUED FROM 09/17/14</u></b>  <b>This matter is set for 10:00am</b>
		<b>Petitioner requests</b> approval of the Settlement Agreement executed 05/17/14 [fully executed original attached to Petition as Exhibit A]. The Settlement Agreement is conditional upon confirmation by the Court and the Parties agreed that Petitioner would file a request for its approval.	
<b>Cont. from 071514, 091714</b>			
	<b>Aff.Sub.Wit.</b>		<b>The Settlement Agreement provides:</b> 1. No conservatorship shall be established for either Dr. Loeffler or Mrs. Loeffler. Provisions in the agreement provide for the orderly transition of the assets of the Temporary Conservatorship estates and The Loeffler Family Trust to the Successor Trustee of the Loeffler Family Trust. 2. The Successor Trustee of the Loeffler Family Trust will be Comerica Bank. In the event of a vacancy, the Court shall appoint a professional licensed fiduciary or institutional fiduciary. 3. The Loeffler Family Trust is to be modified to provide that it is irrevocable and cannot be revoked, amended or terminated, except as provided by Probate Code § 15403 et seq. 4. The Trustee of the Loeffler Family Trust is to be modified to require annual accountings of its proceedings and the accountings shall be provided to Dr. and Mrs. Loeffler, Ms. Huerta, Ms. Plitt, Sam Loeffler and Mick Loeffler. The Trustee shall also provide quarterly reports to the persons listed above. 5. Comerica Bank shall serve as the agent under a Limited Durable Power of Attorney with the limited authority to manage Dr. and Mrs. Loeffler's IRA accounts and the signing of any federal and state tax returns on their behalves.
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
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	<b>Citation</b>		
	<b>FTB Notice</b>		
Continued on Page 2			<b>Reviewed by:</b> JF <b>Reviewed on:</b> 10/31/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 1A – Loeffler</b>

6. The Settlement Agreement provides for a visitation schedule in conformity with the Parties' previous agreement and as set forth in the Court's Order dated 04/02/14.
7. Mick Loeffler shall have the right to reside in Dr. and Mrs. Loeffler's personal residence. He shall pay for all utilities and minor repairs and yard maintenance. An amount as set forth in the Settlement Agreement shall be charged against Mick's distributive share of his parent's estate in lieu of a rental charge.
8. A neutral third party shall serve as the agent under Dr. and Mrs. Loeffler's Advance Health Care Directives.
9. There shall be no gifting of property, monetary, personal, or otherwise from Dr. and Mrs. Loeffler or the Trustee of the Loeffler Family Trust to the children of Dr. and Mrs. Loeffler.
10. All parties' attorney's fees and costs shall be paid by the Loeffler Family Trust.
11. All trial date and all hearings and motion dates in the Conservatorship matters and Trust action are to be vacated.

As set forth in Section 14.4 of the Settlement Agreement, all parties' attorney's fees and costs shall be paid by the Loeffler Family Trust account. As set forth in the Settlement Agreement and the Court's order of 10/31/13, no assets can be distributed from the Loeffler Family Trust without prior Court authorization. The parties submitted invoices in support of their request for payment/reimbursement of the following amounts from the Loeffler Family Trust:

1. Mick Loeffler – outstanding balance to Gilmore, Wood, Vinnard & Magness: \$16,874.13; reimbursement to Mick Loeffler for attorney's fees and costs: \$57,801.55;
2. Dr. and Mrs. Loeffler – outstanding balance to Melvin Rube through 05/31/14: \$17,697.46;
3. Diane Huerta and Linda Plitt (through 05/08/14) – outstanding balance to Howk & Downing: \$108,188.67; reimbursement to Diane Huerta for mediation expenses: \$1,937.50; and
4. Linda Plitt – outstanding balance to Gary Bagdasarian: \$6,431.30; reimbursement to Linda Plitt for attorney's fees and costs: \$6,335.00.

A duplicate request for approval of payment of attorney's fees and costs is made in the Petition for Approval of Settlement Agreement in the Conservatorship matter of Mrs. Loeffler, however only one payment of the above fees is requested.

**Petitioner prays for an Order:**

1. Approving the Settlement Agreement;
2. Authorizing and directing Mr. Bickel as temporary Trustee of the Loeffler Family Trust to make the following payments from the RBC Brokerage Account no. xxx-x314, titled in the name of the Fred and Kathleen Loeffler Trust:
  - a. To Gilmore, Wood, Vinnard & Magness the amount of \$16,874.13;
  - b. To Mick Loeffler the amount of \$57,801.55;
  - c. To Melvin Rube the amount of \$17,697.43;
  - d. To Linda Plitt the amount of \$6,335.00;
  - e. To Howk & Downing the amount of \$108,188.67;
  - f. To Diane Huerta the amount of \$1,937.50;
  - g. To Gary Bagdasarian the amount of \$6,431.30.
3. Any such other orders as the Court deems appropriate.

**2A Kathleen Loeffler (CONS/PE)**

Case No. 13CEPR00656

Atty Downing, Marcella (for Diane Huerta – daughter/Petitioner)

Atty Rube, Melvin K. (for Conservatee)

Atty Magness, Marcus D. (for Mick Loeffler – son/Objector)

Atty Johnson, Summer A. (for Bruce Bickel – Temp. Cons. of the Estate/Petitioner)

Atty Bagdasarian, Gary G. (for Linda Plitt – daughter/Petitioner)

**Petition for Approval of Settlement Agreement**

		<b>BRUCE BICKEL</b> , Temporary Conservator of the Estate, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>CONTINUED FROM</b></u> <u><b>09/17/14</b></u>
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		<b>The Settlement Agreement provides:</b> 12. No conservatorship shall be established for either Dr. Loeffler or Mrs. Loeffler. Provisions in the agreement provide for the orderly transition of the assets of the Temporary Conservatorship estates and The Loeffler Family Trust to the Successor Trustee of the Loeffler Family Trust. 13. The Successor Trustee of the Loeffler Family Trust will be Comerica Bank. In the event of a vacancy, the Court shall appoint a professional licensed fiduciary or institutional fiduciary. 14. The Loeffler Family Trust is to be modified to provide that it is irrevocable and cannot be revoked, amended or terminated, except as provided by Probate Code § 15403 et seq. 15. The Trustee of the Loeffler Family Trust is to be modified to require annual accountings of its proceedings and the accountings shall be provided to Dr. and Mrs. Loeffler, Ms. Huerta, Ms. Plitt, Sam Loeffler and Mick Loeffler. The Trustee shall also provide quarterly reports to the persons listed above. 16. Comerica Bank shall serve as the agent under a Limited Durable Power of Attorney with the limited authority to manage Dr. and Mrs. Loeffler's IRA accounts and the signing of any federal and state tax returns on their behalves.	
		<b>Reviewed by:</b> JF <b>Reviewed on:</b> 10/31/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 2A – Loeffler</b>	

Continued on Page 2

17. The Settlement Agreement provides for a visitation schedule in conformity with the Parties' previous agreement and as set forth in the Court's Order dated 04/02/14.
18. Mick Loeffler shall have the right to reside in Dr. and Mrs. Loeffler's personal residence. He shall pay for all utilities and minor repairs and yard maintenance. An amount as set forth in the Settlement Agreement shall be charged against Mick's distributive share of his parent's estate in lieu of a rental charge.
19. A neutral third party shall serve as the agent under Dr. and Mrs. Loeffler's Advance Health Care Directives.
20. There shall be no gifting of property, monetary, personal, or otherwise from Dr. and Mrs. Loeffler or the Trustee of the Loeffler Family Trust to the children of Dr. and Mrs. Loeffler.
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  - k. To Linda Plitt the amount of \$6,335.00;
  - l. To Hawk & Downing the amount of \$108,188.67;
  - m. To Diane Huerta the amount of \$1,937.50;
  - n. To Gary Bagdasarian the amount of \$6,431.30.
6. Any such other orders as the Court deems appropriate.